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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

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9 BRIT F. AUGBORNE, III,  
10 Plaintiff,  
11 v.  
12 SUPREME COURT OF NEVADA,  
13 Defendant.  
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Case No. 2:19-cv-01195-GMN-BNW

**REPORT AND RECOMMENDATION**

15 On January 6, 2020, the court entered an order requiring plaintiff Brit F. Augborne, III to  
16 file an application to proceed *in forma pauperis* or to pay the filing fee in this case. (Order (ECF  
17 No. 6).) Plaintiff's deadline for doing so was February 3, 2020. (*Id.*) Plaintiff was advised that  
18 failure to comply with the order would result in a recommendation that his case be dismissed.  
19 (*Id.*) Given that plaintiff has not complied with the court's order or taken any action in this case  
20 since the court's order dated January 6, 2020, he appears to have abandoned this case.


21 IT IS THEREFORE RECOMMENDED that plaintiff Brit F. Augborne, III's case be  
22 dismissed without prejudice.

23 **NOTICE**

24 This report and recommendation is submitted to the United States district judge assigned  
25 to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation  
26 may file a written objection supported by points and authorities within fourteen days of being  
27 served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely  
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1 objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d  
2 1153, 1157 (9th Cir. 1991).

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4 DATED: February 11, 2020

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7 BREND A WEKSLER  
8 UNITED STATES MAGISTRATE JUDGE  
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